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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JESS R. BOOTH et al.

Group Art Unit: 1713

Serial No. 10/036,159

Examiner: MULCAHY, Peter D.

Filed: December 26, 2001

For: Synthetic Thermoplastic  
Composition Articles Made  
Therefrom and Method of  
Manufacture

## DECLARATION OF GERALD F. BREM, PH.D.

Hon. Commissioner for Patents  
P. O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

I, GERALD F. BREM, declare as follows:

1. I am the Director of R&D for the Assignee of the above-identified application and have a place of business at 5 Hutton Centre Drive, Suite 700, Santa Ana, California 92707.

2. I know of offers for sale of the mineral composition described in U.S. Patent Application Serial Number 09/322,211, filed May 28, 1999, for employment with thermoplastic resin to form a composition as described in that application. Such offers for sale were made more than one year prior to December 26, 2001, the filing date of the present application.

3. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date:

March 22, 2004  
GERALD F. BREM, PH.D.

Director of R&amp;D

Vitroco Incorporated